

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

NUTRITION DISTRIBUTION LLC,)	
)	
Plaintiff,)	Civil Action No. 17-1515
)	
v.)	Judge Cathy Bissoon
)	
THE MUSCLE STORE INC., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

On July 10, 2018, this case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C, 72.D and 72.G of the Local Rules for Magistrates. On July 10, 2018, the magistrate judge issued a Report and Recommendation (Doc. 19) recommending that Defendants' Motion to Dismiss for Improper Venue, or in the Alternative, Motion to Transfer Venue (Doc. 7) be granted. Service of the Report and Recommendation was made on the parties, and Plaintiff failed to timely object.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation the following Order is entered:

AND NOW, this 31st day of July, 2018, IT IS HEREBY ORDERED that the July 10, 2018 Report and Recommendation (Doc. 19) is adopted as the opinion of the Court. Defendants' Motion (Doc. 7) is **GRANTED**, and the above-captioned matter is dismissed without prejudice to re-file in the appropriate jurisdiction.

IT IS SO ORDERED.

July 31, 2018

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):